



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON THE PETITION OF
THE CALIFORNIA PUBLIC UTILITIES COMMISSION AND THE PEOPLE OF THE
STATE OF CALIFORNIA FOR WAIVER OF THE FEDERAL COMMUNICATIONS
COMMISSION'S CONTAMINATION THRESHOLD RULE

CC Docket No. 99-200

Release Date: October 24, 2002

Comment Date: December 13, 2002

Reply Comment Date: December 23, 2002

The Wireline Competition Bureau seeks comment on the petition for waiver of the Commission's contamination threshold requirement,¹ filed on September 5, 2002, by the California Public Utilities Commission and the People of the State of California (California Commission).² The Commission's rules require that "[a]ll service providers required to participate in thousands-block number pooling donate thousands-blocks with ten percent or less contamination to the thousands-block number pool for the rate center within which the numbering resources are assigned."³ The California Commission requests that the Commission grant a waiver of this rule so that it can increase the contamination threshold to 25 percent in California.

The California Commission asserts that permitting it to increase the contamination threshold will allow more numbers to be donated to active number pools in California and will maximize the amount of available numbering resources in the areas where number pooling has been implemented.⁴ Specifically, the California Commission states that almost 7,000 more

¹ See 47 C.F.R. § 52.20(c)(1). Contamination occurs when at least one telephone number within a block of telephone numbers is not available for assignment to end users or customers. See 47 C.F.R. § 52.7(h).

² See *Petition of the California Public Utilities Commission and the People of the State of California for Waiver of the Federal Communications Commission's Contamination Threshold Rule*, CC Docket No. 99-200 (filed Sept. 5, 2002) (California Commission Petition).

³ 47 C.F.R. § 52.20(c)(1).

⁴ California Commission Petition at 1-2.

blocks could be placed in pools in California. According to the California Commission, this would add approximately 5.2 million to 6.2 million numbers to pools in California.'

We seek comment on the California Commission's petition. Specifically, we ask commenters to address the technical implications of increasing the contamination threshold to 25 percent, including specific impacts on local number portability. We ask the North American Numbering Council (NANC), the Commission's advisory committee on numbering issues, to evaluate the technical viability of increasing the contamination level, and to submit its findings to the Bureau no later than December 13, 2002.

We further seek comment on the policy implications of increasing the contamination threshold to 25 percent, and on alternative methods for increasing the availability of numbers in California. Commenters should also address the advantages and disadvantages, including the associated costs, of increasing the contamination threshold to 25 percent. Finally, commenters should address the extent to which increasing the contamination threshold will improve numbering resource optimization or otherwise serve the public interest in California.

Interested parties may file comments on or before December 13, 2002 and may file reply comments on or before December 23, 2002. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents*, 63 Fed. Reg. 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message: "get form <your e-mail address>." A sample form and directions will be sent in reply. After filing your comments electronically, please notify Sheryl Todd at stodd@fcc.gov that comments have been filed.

Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes *must* be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings *must* be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

⁵ *Id.* at 4-5.

In addition, one copy of each pleading must be sent to the Commission's duplicating contractor, Qualex International, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; e-mail: qualexint@aol.com; facsimile: (202) 863-2898; phone: (202) 863-2893.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.⁶ Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

Comments in this proceeding will be available on ECFS. They will also be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

For further information, please contact Pam Slipakoff, Wireline Competition Bureau, Telecommunications Access Policy Division, at 202-418-7400, or via e-mail at pslipako@fcc.gov. The TTY number is 202-418-0484.

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⁶ 47 C.F.R. § 1.1206(b)(2).